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Dated May 13, 2005

Signature

(Danielle L. Herritt)

Docket No.: ISI-003US  
(PATENT)

#7

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: Alexander M. Korsunsky

Application No.: 10/502432

Confirmation No.: 8126

Filing Date of

Art Unit: N/A

International Application: January 24, 2003

For: X-RAY DIFFRACTION METHOD

Examiner: Barbara Campbell

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

25 MAY 2005

Legal Staff  
International Division

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371, mailed February 28, 2005, and pursuant to the telephone conversation of May 12, 2005 with Examiner Campbell, Applicant respectfully submits that the Declaration submitted with the application is in compliance with 37 CFR 1.497(a) and (b), in that the Declaration was previously submitted in the international application under PCT rule 4.17(iv) within the time limits provided for in PCT Rule 26<sup>st</sup>.1. The International application number and filing date are reflected in the Notification Relating to Declaration Made Under PCT Rule 4.17, which was also filed with the present application. Courtesy copies of the Declaration, along with the Notification Relating to Declaration Made Under PCT Rule 4.17 are included, along with a copy of the Notification of Missing Requirements. Accordingly, Applicant requests that the Notification of Missing Requirements be withdrawn.

Applicant believes no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. ISI-003US from which the undersigned is authorized to draw.

Dated: May 13, 2005

Respectfully submitted,

By \_\_\_\_\_  
 Danielle L. Herritt  
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 Attorney/Agent For Applicant

# FAX TRANSMISSION

**DATE:** May 13, 2005

**PTO IDENTIFIER:** Application Number 10/502432-Conf. #8126

Patent Number

**Inventor:** Alexander M. KORSUNSKY

**MESSAGE TO:** US Patent and Trademark Office, Attn.: Examiner Barbara Campbell

**FAX NUMBER:** (703) 746-6705

**FROM:** LAHIVE & COCKFIELD, LLP

Danielle L. Herritt

**PHONE:** (617) 227-7400

**Attorney Dkt #:** ISI-008US

**PAGES (Including Cover Sheet):** 7

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- Response To Notification Of Missing Requirements (1 page)
- Courtesy Copy of Declaration (1 page)
- Courtesy Copy of Notification Relating to Declaration Made Under PCT Rule 4.17 (1 page)
- Copy of Notification of Missing Requirements (2 pages)
- Certificate of Transmission (1 page)
- This Fax Cover Sheet (1 page)

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 Telephone: 703-305-2000

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY DOCKET NO.
10/502,432	Alexander M Karsunsky	ISI-003US
		INTERNATIONAL APPLICATION NO.
		PCT/GB03/00283
00959 LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109		IA. FILING DATE PRIORITY DATE
		01/24/2003 01/25/2002
ENTERED <b>DOCKETED</b> April 28, 2005 MISSING PEG Sept 28, 2005 PEG w/503		
CONFIRMATION NO. 8126 371 FORMALITIES LETTER 0C000000015257608		

Date Mailed: 02/28/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/22/2004
- Copy of the International Search Report filed on 07/22/2004
- Preliminary Amendments filed on 07/22/2004
- Information Disclosure Statements filed on 07/22/2004
- Oath or Declaration filed on 07/22/2004
- Request for Immediate Examination filed on 07/22/2004
- U.S. Basic National Fees filed on 07/22/2004
- Priority Documents filed on 07/22/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - does not identify the application to which it is directed.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.



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**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

**BARBARA A CAMPBELL**

Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO	ATTY. DOCKET NO
10/502,432	PCT/GB03/00283	ISI-003US

FORM PCT/DO/EO/905 (371 Formalities Notice)